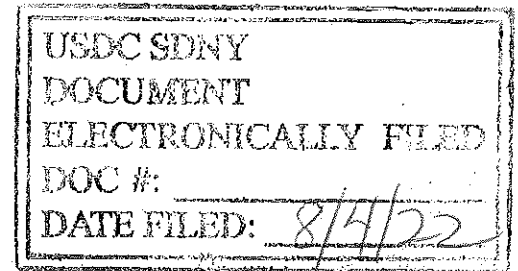


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



CONTENT,

Plaintiffs

- against -

CURRAN, ET AL.,

Defendants.

ORDER

20 Civ. 5444 (PED)

PAUL E. DAVISON, U.S.M.J.:

Plaintiff's "Motion for Reconsideration or to Certify for Interlocutory Appeal" [Dkts. 56-57] is **DENIED**. Contrary to the premise of plaintiff's motion, the Court did not overlook "controlling authority." As for certification for appeal under 28 U.S.C. § 1292(b), that procedure is "reserved for cases of unusual significance, those in which a ruling is of practical importance going well beyond run-of-the-mill concerns of parties before the Court." *In Re Auction Houses Antitrust Litigation*, 164 F.Supp.2d 345, 248 (S.D.N.Y. 2001). This case in no way meets that standard.

The Court construes defendant's "Letter Motion for Leave to File Rule 54(b) cross-motion" [Dkt. 59] as a timely application for reconsideration. *See* Local Civil Rule 6.3. That application is **GRANTED** to the extent that the Court will review that portion of defendants' underlying summary judgment motion "which sought a ruling of qualified immunity on plaintiff's excessive force claim." [Dkt. 59, p. 1.] Defendants may file a brief confined to that issue by **August 18, 2022**. Plaintiff may file responsive papers by **September 2, 2022**. Any reply shall be filed by **September 9, 2022**.

The conference previously scheduled for September 9 is **ADJOURNED WITHOUT**

DATE. The Clerk shall close Dkts. 56 and 59.

Dated: August 4, 2022
White Plains, New York

SO ORDERED

Paul E. Davison, U.S.M.J.